

### Remarks

Reconsideration and reexamination of the above-identified patent application, as amended, are respectfully requested. Claims 1, 3-5, 7-9, 11-14, and 16-17 are pending in this application upon entry of this Amendment. The Applicant has amended claims 1, 4-5, 8-9, 13-14, and 17 and has cancelled claims 2, 6, 10, and 15. No claims have been added.

### The Specification

In the Office Action mailed on October 7, 2002, the Examiner objected to the disclosure because in specification paragraph [0031], the abbreviation "PDA" should be written in un-abbreviated format before the abbreviation "PDA" is subsequently used. The Applicant has amended specification paragraph [0031] to correct this noted informality.

### Claim Rejections – 35 U.S.C. § 112

The Examiner rejected claims 4, 8, 13, and 17 under 35 U.S.C. § 112 as being indefinite. In response, the Applicant has amended claims 4, 8, 13, and 17 to address the problems noted by the Examiner with respect to these claims. As such, the Applicant requests reconsideration and withdrawal of the rejection to the claims under 35 U.S.C. § 112.

### Claim Rejections – 35 U.S.C. § 103

The Examiner rejected claims 1, 3-5, 7-9, 11-14, and 16-17 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,808,374 issued to Miller et al. ("Miller"). The Examiner rejected dependent claims 2, 6, 10, and 15 under 35 U.S.C. § 103(a) as being unpatentable over Miller in view of U.S. Patent No. 5,633,484 issued to Zanchi et al. ("Zanchi").

The Applicant has amended each of independent claims 1, 5, 9, and 14 to include the subject matter of their respective dependent claims 2, 6, 10, and 15. Accordingly,

amended independent claims 1, 5, 9, and 14 are patentable over Miller under 35 U.S.C. § 103(a).

The Applicant has further amended independent claims 1, 5, 9, and 14 to more clearly define over any combination of Miller and Zanchi. The Applicant has amended independent claims 1, 5, 9, and 14 to recite that 1) the portable information storage device receives and stores information representative of vehicle usage by the operator; and 2) the off-board control system is arranged to set a variable operating value based on the information representative of vehicle usage in addition to information representative of a particular stored operating parameter. Support for this amendment is found on, at least, page 4, line 8 through page 5, line 2; page 6, lines 7-13; and page 9, lines 21-29 of the Applicant's specification.

The claimed invention generally differs from any combination of Miller and Zanchi in that the portable information storage device receives and stores information representative of vehicle usage by the operator and that this information, along with information representative of an operating parameter stored in the portable storage device, is used by an off-board control system to set a variable operating parameter. As such, the claimed portable information storage device provides information regarding vehicle usage along with a desired operating parameter with such information being used by a non-vehicle off-board control system to set a variable operating value. Accordingly, the claimed invention provides a more refined personalization between the vehicle and the external environment such as a home than provided by the teachings of Zanchi. This is a result of the claimed invention taken into consideration vehicle usage information as well as information representing a desired operating parameter to control an off-board system.

In view of the foregoing amendments and remarks, the Applicant believes that amended independent claims 1, 5, 9, and 14 are patentable over any combination of Miller and Zanchi. Claims 3-4, 7-8, 11-13, and 16-17 depend from one of amended independent claims 1, 5, 9, and 14 and include the limitations thereof. Thus, the Applicant respectfully requests reconsideration and withdrawal of the rejection to claims 1, 3-5, 7-9, 11-14, and 16-17 under 35 U.S.C. § 103(a).

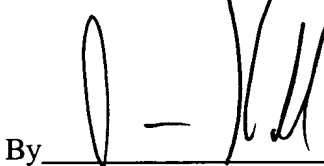
**CONCLUSION**

In summary, claims 1, 3-5, 7-9, 11-14, and 16-17, as amended, meet the substantive requirements for patentability. The case is in appropriate condition for allowance. Accordingly, such action is respectfully requested.

If a telephone or video conference would expedite allowance or resolve any further questions, such a conference is invited at the convenience of the Examiner.

Respectfully submitted,

**JOHN LORING YESTER et al.**



By

James N. Kallis  
Reg. No. 41,102  
Attorney for Applicant

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**BROOKS & KUSHMAN P.C.**

1000 Town Center, 22nd Floor  
Southfield, MI 48075  
Phone: 248-358-4400  
Fax: 248-358-3351

*Attachment*

**VERSION WITH MARKINGS TO SHOW CHANGES MADE****In The Specification:**

*Please replace paragraph [0031] with the following paragraph.*

In addition, the personalization storage device can serve as a resource for defining interaction between the vehicle and various mobile devices. A vehicle could provide an environment where scheduled appointments stored on a portable digital assistant (PDA) could be monitored. Visual or audible reminders to the driver could be automatically provided by the vehicle. The vehicle system could display or announce details of the appointment and use tactile or audible responses from the driver regarding the disposition of the appointment. This interaction can be extended, where the vehicle system operates to combine PDA and mobile phone operation so as to initiate a telephone call using appointment or contact information that is stored on the PDA. Additionally, a mobile phone or similar wireless link, a PDA, and the vehicle could be combined using stored preferences so that information from an off-board service provider can be delivered in a timely fashion. This can include information such as the driver's interest in restaurants serving a preferred cuisine. Thus the personalization storage device can operate as a collection point for evolving patterns and interest of individuals. As vehicles develop connections to off-board service providers for roadside assistance, driving directions, and concierge services, the personalization storage device in accordance with the present invention can be used to provide filters whereby off-board content can be provided in a manner acceptable to the individual. The ability of the vehicle to access and update information stored on PDAs, mobile phones and other types of personal electronic devices enables the vehicle to be a conduit between the off-board service providers and these devices.

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## **In The Claims:**

1. (AMENDED) A system for selectively setting a variable operating parameter in a vehicle for an operator of the vehicle, the system comprising:

a portable information storage device having a storage element, means for receiving information representative of a particular operating parameter and storing the received information on the storage element, and means for generating an output signal based on the stored information; [and]

a vehicle interface connected to an on-board vehicle control system having the variable operating parameter, the vehicle interface arranged to receive the output signal generated by the portable storage device for input to the on-board control system, wherein the on-board control system is arranged to set the variable operating value based on the information in the input signal;

wherein the portable information storage device further includes means for receiving, from the vehicle interface, information representative of vehicle usage by the operator, and means for storing the information representative of the vehicle usage; and

a non-vehicle interface connected to an off-board control system, and arranged to receive the output signal generated by the portable storage device for input to the off-board control system, and further arranged to access the stored information representative of the vehicle usage, wherein the off-board control system is arranged to set a variable operating value based on the information in the input signal and the information representative of vehicle usage.

4. (AMENDED) The system of claim 1 wherein the operating parameter comprises a user preference for at least one of the following: radio preset; climate setting; seat position; mirror position; suspension setting; power train setting; cellular telephone preset; digital audio file play list; [service/maintenance] service history or schedule; preferred service provider for an a non-vehicle provided service; authentication information for e-commerce; vehicle access control; calendar reminder; wireless access setting such as Internet Service Provider (ISP); and vehicle service appointment scheduling based on a user's preferred [day/location] day or location.

5. (AMENDED) A system for selectively setting a variable user preference in a vehicle comprising:

a portable information storage device arranged to receive and store information representative of at least one user preference, and further arranged to receive and store information representative of vehicle usage by the user; [and]

a vehicle interface connected to an on-board vehicle system capable of being set in accordance with a user preference, wherein the vehicle interface is arranged to receive user preference information from the portable storage device for input to the on-board vehicle system, and the on-board operating system is arranged to set the system based on the received user preference information; and

a non-vehicle interface connected to an off-board system, and arranged to receive the user preference information and the vehicle usage information from the portable information storage device for input to the off-board operating system, wherein the off-board

operating system is arranged to set the system based on the received user preference information and the received vehicle usage information.

8. (AMENDED) The system of claim 5 wherein the user preference comprises at least one of the following: radio preset; climate setting; seat position; mirror position; suspension setting; power train setting; cellular telephone preset; digital audio file play list; [service/maintenance] service history or schedule; preferred service provider for an a non-vehicle provided service; authentication information for e-commerce; vehicle access control; calendar reminder; wireless access setting such as Internet Service Provider (ISP); and vehicle service appointment scheduling based on a user's preferred [day/location] day or location.

9. (AMENDED) A method of selectively setting a variable user preference in a vehicle comprising:

- determining at least one user preference and vehicle usage by the user;
- storing information representative of the at least one user preference and the user's vehicle usage on a portable information storage device;
- selectively recalling the user preference information and the user's vehicle usage information stored on the portable information storage device; [and]
- setting an on-board vehicle system in accordance with the recalled user preference information; and
- setting a non-vehicle system in accordance with the recalled user preference information and the recalled user's vehicle usage information.

13. (AMENDED) The method of claim 9 wherein the user preference comprises at least one of the following: radio preset; climate setting; seat position; mirror position; suspension setting; power train setting; cellular telephone preset; digital audio file play list; [service/maintenance] maintenance history or schedule; preferred service provider for an a non-vehicle provided service; authentication information for e-commerce; vehicle access control; calendar reminder; wireless access setting such as Internet Service Provider (ISP); and vehicle service appointment scheduling based on a user's preferred [day/location] day or location.

14. (AMENDED) A portable information storage device for use with a system arranged to selectively set a variable operating parameter in a vehicle for an operator of the vehicle, said portable information storage device comprising:

- a storage element;
- means for receiving information representative of a particular operating parameter and storing the received information representative of the particular operating parameter on the storage element; [and]
- means for receiving information representative of vehicle usage by the operator and storing the received information representative of the vehicle usage by the operator on the storage element; and
- means for generating an output signal based on the stored information, wherein the portable information storage device is arranged to interface with an on-board vehicle

control system having the variable operating parameter, the on-board control system arranged to set the variable operating value based on the information in the generated output signal.

wherein the portable information storage device is arranged to interface with a non-vehicle control system, the off-board control system is arranged to set a variable operating value based on the information in the generated output signal.

17. (AMENDED) The storage device of claim 14 wherein the operating parameter comprises a user preference for at least one of the following: radio preset; climate setting; seat position; mirror position; suspension setting; power train setting; cellular telephone preset; digital audio file play list; [service/maintenance] service history or schedule; preferred service provider for an a non-vehicle provided service; authentication information for e-commerce; vehicle access control; calendar reminder; wireless access setting such as Internet Service Provider (ISP); and vehicle service appointment scheduling based on a user's preferred [day/location] day or location.